



**Minutes**  
**Town of Atlantic Beach, North Carolina**  
**Town Council Meeting**  
**Monday, April 27, 2015**



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, April 27, 2015 at 6:00 p.m. in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

**Members Present:** Mayor A. B. Cooper, III; Mayor Pro Tem Danny Navey; Councilmembers: Harry Archer, Ann Batt, Eddie Briley and John Rivers

**Members Absent:** None

**Others Present:** David Walker, Town Manager; Derek Taylor, Town Attorney; Katrina Tyer, Town Clerk; Jeff Harvey, Police Chief; Ross Jacoby, Police Captain; Jessica Fiester, Planning Director; Marc Schulze, Public Works Director; Sabrina Simpson, Administrative Services Director

### **CALL TO ORDER**

Mayor Cooper called the meeting to order at 6:00 p.m.

### **INVOCATION and PLEDGE OF ALLEGIANCE**

Claude Andrews, Departmental Chaplain, gave the Invocation. Mayor Cooper led the assembly in the Pledge of Allegiance.

### **APPROVAL OF AGENDAS**

Councilmember Archer made a motion *to approve* the agenda as prepared. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried.

### **CONSENT AGENDA**

*All items listed below are considered to be routine and will be enacted by one introduction/motion/second/roll call vote. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered separately.*

1. Tax Collection Report
2. Tax Releases
3. Financial Report
4. Budget Transfer
5. Surplus Vehicles and Equipment Sold
6. Approval and Awarding of the 2015-16 Phase II - Debris Removal Contract to DRC Emergency Services, LLC for primary award and Santee Modular Homes, Inc. as secondary award
7. Town Council Meeting Minutes: 3/19/2015, 3/23/2015

Mayor Pro Tem Navey made a motion *to approve* the Consent Agenda. Seconded by Councilmember Rivers. Vote was unanimous, 5-0. Motion carried.

**(Clerk's Note: a copy of Consent Agenda items are hereby attached and therefore made a part of these minutes.)**

### **CITIZEN REQUESTS/COMMENTS**

#### **Kimberly Griffin, AB Ice Cream and Candy Shoppe, Atlantic Station Shopping Center**

- does not support vending trucks in town
- requesting Council to reconsider approval of summer vending because local businesses need the income the summer months bring
- vendors should not be allowed to come in with no year round expenses and take up the revenues

#### **Terri Stallings, The Monkey Bar & Grill, Atlantic Station Shopping Center**

- keep AB strong and support AB businesses
- don't let MHC businesses come in take over

**Lin Larkin, 1904 E. Ft. Macon Road, AB homeowner, Bojangles employee**

- feels mobile vending will hurt the businesses in Town
- doesn't understand why Council would allow competition to come in across the street that will hurt their businesses

**Captain James M. Willis, III - 104 AB Causeway**

- Speaking about the two jetties at Fort Macon that he helped fight against being built in the 1970's
- While they weren't built, there is a group fighting now to build a groin on the Shackleford Banks side to protect Beaufort Inlet
- That sand is needed for our beaches and he asks Council to work together to prevent the building of the groin when requests start coming

**ACTION AGENDA**

**6. Presentation of NC State University AOMP (Administrative Officers Managements Program) Certificate to Captain Ross Jacoby**

Mayor Cooper presented Captain Ross Jacoby with his NC State University AOMP certificate and award. Captain Jacoby recently completed the 12-week Management Program.

**7. RESOLUTION 15-04-01: Resolution Awarding Service Badge and Sidearm to Sergeant Robert C. Klingele**

Mayor Cooper thanked Sergeant Klingele for his service to the Town of Atlantic Beach after retiring from the State Highway Patrol. He read the Resolution for the audience.

Councilmember Batt made a motion *to approve* Resolution 15-04-01: Resolution Awarding Service Badge and Sidearm to Sergeant Robert C. Klingele. Seconded by Councilmember Briley. Vote was unanimous, 5-0. Motion carried

**8. Review of Proposed FY2015-16 Annual Operating Budget and Public Hearing**

David Walker, Town Manager, reviewed the proposed budget as it was presented at the April 16 Council worksession.

With no comments or questions from Council, Councilmember Archer made a motion *to enter into* the Public Hearing. Seconded by Councilmember Rivers. Vote was unanimous, 5-0. Motion carried.

No comments.

Councilmember Briley made a motion *to exit* the Public Hearing. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried.

Zulene Wooten and Claude Andrews both voiced support of the proposed budget after the close of the Public Hearing.

Mayor Cooper reviewed the proposed budget and proposed tax cut. He complimented the Council, Manager, and staff for their hard work on the budget.

Councilmember Archer complimented Mr. Walker on his acute eye for keeping the budget balanced and to Sabrina Simpson for her hard work.

**9. Review of Seaside Villas project and Schedule a Public Hearing for the May 18, 2015 Council meeting**

Jessica reviewed the Seaside Villas project planned at the former Jungleland site. She confirmed all the requirements have been met.

No comments from Council.

Mayor Pro Tem Navey made a motion *to schedule a public hearing* for approval of the Seaside Villas project at the regular Council meeting on May 18. Seconded by Councilmember Rivers. Vote was unanimous, 5-0. Motion carried.

## **10. Public Hearing For Amendments to Article 11, Sign Regulations and Appendix A, Definitions of the Unified Development Ordinance**

Jessica reviewed the changes made to the Sign Ordinance pursuant to Council's requests at the March Council meeting.

With no comments or questions from Council, Councilmember Archer made a motion *to enter into* the Public Hearing. Seconded by Councilmember Briley. Vote was unanimous, 5-0. Motion carried.

No comments.

Councilmember Briley made a motion *to exit* the Public Hearing. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried.

Councilmember Archer made a motion *to approve* Resolution #15-04-02: Resolution of Plan Consistency in Accordance with G.S. 160A-383. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried.

Councilmember Briley made a motion *to approve* Ordinance #15-04-01: Ordinance Amending Article 1, Sign Regulations and Appendix A Definitions. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried.

## **11. Consideration of Vacant Planning Board Seat**

Mayor Cooper publically acknowledged Larry Burke's long term service to the Planning Board. He thanked him for his service and dedication since 1999. In review of recent applications received from the last vacancy, Councilmember Batt nominated Richard Johnson for the vacant seat. He regularly attends the Council meetings and recently graduated from Leadership Carteret. Councilmember Archer stated we have three very well qualified applications on file and nominates Judy French for the vacant seat.

Councilmember Briley made a motion *to close* nominations. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried.

A show of hands vote was conducted. Mr. Johnson received three (3) votes and Mrs. French received two (2). Richard Johnson will fill the vacant Planning Board seat in Burke's absence. Mr. Johnson will be sworn in at the next Planning Board meeting.

## **12. ORDINANCE 15-04-02: Ordinance Amending Chapter 9 Licenses and Business Regulation, Chapter 10 Motor Vehicles and Traffic, and Chapter 18 Unified Development Ordinance**

Due to pending legislative action attempting to not allow business registrations by local governments, it was the consensus of Council to wait until the State makes a decision before acting on this issue.

Councilmember Briley made a motion *to table* the proposed Ordinance until a later date. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried

## **13. Summer Season Mobile Food Vending License**

Mr. Walker reviewed the mobile vending policy before Council. He reviewed the outline of vending locations, food opportunities, and permit fees.

Councilmember Archer is concerned that three of our valued local businesses have come tonight to speak against this. He cannot be in favor of anything that offends them or jeopardizes their businesses. He asks for additional thought and consideration for the park location.

Councilmember Briley disagrees with Councilmember Archer. He goes to the park a lot with his grandchildren and feels the need for providing drinks is high.

Councilmember Briley made a motion *to approve* the Summer Season Mobile Food Vending License program as presented *with the exclusion of vending at the Town Park*. Seconded by Councilmember Rivers. Vote was unanimous, 5-0. Motion carried.

**TOWN MANAGER'S REPORT**

- a) **LED Street Light Conversion Project**
- b) **Saturday in the Park**
- c) **AB Beach Music Festival**
- d) **Summer Events**

Mr. Walker reviewed the LED light change out, Atlantic Beach is one of the first towns in the state to go all LED.

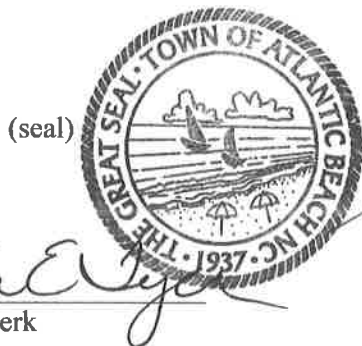
He reviewed plans for the upcoming Saturday in the Park and the AB Beach Music Festival. The 572nd Air Force Band will perform on July 4 for the fireworks.

**MAYOR/COUNCIL COMMENTS**

Councilmember Archer recognized and thanked Captain Jacoby for receiving this distinguished achievement.

There being no further action taken or business before Council the meeting stood adjourned. The time was 7:32 p.m.


These minutes were approved at the May 18, 2015 meeting of the Atlantic Beach Town Council.



TOWN OF ATLANTIC BEACH

  
A. B. Cooper, III - Mayor

ATTEST:

  
Katrina Tyer - Town Clerk